

### **Remarks**

Applicant thanks Examiner Canella for the courtesies extended to Applicant's representative during the telephonic interview conducted on December 24, 2008.

Claims 1, 2, and 4-16 are currently pending in the application. In order to advance prosecution, Applicants have canceled claims 10 and 13 without prejudice and amended claims 9, 11, 12, and 14. A complete listing of all the claims, in compliance with the revised amendment format, is shown above. The amendments to the pending claims are made in order to expedite the issuance of the claims. The amendments are made without prejudice, do not constitute amendments to overcome any prior art rejection, and do not present any new matter.

### **Discussion of the 35 U.S.C. § 112 Rejection**

Claims 9-16 stand rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement because allegedly the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. Although not acquiescing to this ground of rejection or the Examiner's reasoning supporting the rejection, Applicants have amended claims 9 and 12 to recite "doxorubicin". Applicant respectfully contends that this amendment has overcome the asserted ground of rejection.

## **Conclusion**

In view of the above amendments and remarks, the application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issue. If there are any questions or comments regarding this Response or application, the Examiner is encouraged to contact the undersigned attorney as indicated below.

Respectfully Submitted,

Date: January 5, 2009

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